

# Kerry SIRHAN EVIDENCE MISHANDLED: D.A.

Exhibits from the trial of convicted assassin Sirhan Bishara Sirhan "have not been properly protected . . . (and) have been directly handled by numerous persons," Dist. Atty. Joseph P. Busch Jr. said today.

Busch said his findings have sidetracked his initial investigation into charges that ballistics evidence that helped convict Sirhan of the June 5, 1968, assassination of Sen. Robert F. Kennedy resulted from improper procedures.

"We currently are in the midst of an investigation to determine whether there has been any intentional or unintentional tampering with the key exhibits involved in the trial—including the murder weapon and the bullets taken from the body of Sen. Kennedy."

Sirhan currently is a prisoner on San Quentin's death row for the Ambassador Hotel murder that occurred moments after Kennedy had claimed victory in

the 1968 California Democratic presidential preference primary election.

Busch said his initial post-trial investigation stemmed from "certain charges against Los Angeles Police Dept. criminalist DeWayne Wolfer, including the allegation he was guilty of violating proper procedures in the ballistics investigation."

"Because the original exhibits were protected by a court order which would prevent their being directly handled," Busch said, "we felt at the outset of the investigation that we could proceed simply by determining the validity of (the) charges against Mr. Wolfer."

"However, we have had to delay our findings after learning that this court order protecting the exhibits has been ignored . . . The exhibits have not been properly protected by the County Clerk's Office."

"Indeed, there is evidence the

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## D.A. Claims Evidence Mishandled

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exhibits have been directly handled by numerous persons."

Although Busch expressed "terrible concern about the possibility that they (exhibits) have been tampered with," he said, "we still are confident at this point that the original investigation was thorough and that the subsequent trial outcome was valid. Our concern now is whether there has been any violation of the integrity of the exhibits."

The district attorney promised "appropriate action and . . . a full report to the public" at the conclusion of the investigation.

from Greg Roberts, 7/15/71

✓ from Henry Laddur, 7/15/71

ALEXANDRIA DAILY TOWN TALK ALEXANDRIA-PINEVILLE, LA., SUNDAY, JULY 11, 1971

## 'Tampering' With Bullets, Pistol That Killed RFK Stirs Concern

By Dave Smith

(Los Angeles Times News Service)

LOS ANGELES — Los Angeles Dist. Atty. Joseph A. Busch Jr. said Saturday his office is "terribly concerned" over strong evidence that the fatal bullets and murder weapon in the assassination of Sen. Robert F. Kennedy have been tampered with.

In a statement released by an aide, Busch said his office will conduct an investigation into "evidence the exhibits have been directly handled by numerous persons" in direct violation of a court order sealing the items.

No suspects were named, but another spokesman said it was learned that almost anyone apparently could examine the exhibits in the office of the county clerk, where "the court order evidently was just ignored."

Busch did not categorize the possible tampering as either intentional or unintentional, but made clear that the development complicates an earlier investigation into claims that ballistics work on the Kennedy case was improperly done and that a second gun may have been fired in the rear pantry of the Ambassador Hotel here where Kennedy was mortally wounded shortly after midnight June 5, 1968.

If tampering should be proven to be extensive, it could be impossible ever to prove or disprove these claims.

The report came to light on a local television station's 6 p.m. news report Friday, after one of the stations employees reportedly was questioned by Busch's office about his own investigation of the "second-gum theory."

That news report followed by three days Busch's second postponement of a news conference at which he was expected to disclose results of his office's investigation of the claims.

That postponement was occasioned when investigators learned of the ease with which unauthorized persons had been allowed access to the key exhibits in the state's case against Sirhan Bishara Sirhan, condemned to death for the assassination.

"We were dumb and fat and happy and thought we had a court order to protect those bullets," said Los Angeles Chief Deputy Dist. Atty. John Howard said Saturday. "But the more I got into it, the bigger it got."

Asked how many persons might have handled the bullets and gun, Howard said, "plenty."

A chief danger to the integrity of the evidence, Howard said, is

that a .22-caliber lead slug can be permanently changed even by being rubbed a few minutes between a person's fingers. If that has happened, merely at the hands of an innocent curious person, the bullets might never be made to match further bullets from Sirhan's weapon in the event of future ballistics tests.

The reexamination of evidence in the Kennedy case was launched May 28 when attorney Barbara Warner Blehr wrote a letter to the Civil Service Commission here in an effort to block the permanent appointment of Los Angeles police department criminalist DeWayne Wolfer as head of the LAPD crime lab. That appointment was scheduled for July 1 but has not yet been made.

Mrs. Blehr charged that Wolfer violated proper procedures in the ballistics investigation of Kennedy's death as well as in two other murder cases.

On June 4, Busch's office conferred with Los Angeles Police Chief Edward Davis and then undertook investigation of Mrs. Blehr's charges.

Over the past month, Busch's staff has questioned at least two dozen principals in the Kennedy case and has twice postponed announcements of its findings. No new date for a news conference has been set.